

REPORT FOR: **CABINET**

Date of Meeting:	19 February 2015
Subject:	Proposals to amalgamate and expand Welldon Park Infant and Nursery School and Welldon Park Junior School
Key Decision:	Yes
Responsible Officer:	Chris Spencer, Interim Corporate Director Children and Families
Portfolio Holder:	Councillor Simon Brown, Portfolio Holder for Children, Schools & Young People
Exempt:	No
Decision subject to Call-in:	Yes
Wards affected:	Roxeth
Enclosures:	Appendix 1 – Representations to the statutory proposals Appendix 2 – Considerations about the proposal in relation to the Decision-Makers Guidance Appendix 3 – Letter from the Governing Bodies of Welldon Park Infant and Nursery School and Welldon Park Junior School

Section 1 – Summary and Recommendations

Statutory proposals to amalgamate and expand permanently Welldon Park Infant and Nursery School and Welldon Park Junior School were published on 5 January 2015 for a four week representation period. This report provides information and recommendations to enable Cabinet to determine the statutory proposals.

Recommendations:

Cabinet is requested to approve the statutory proposals to:

1. combine Welldon Park Infant and Nursery School and Welldon Park Junior School on 1 September 2015;
2. expand permanently Welldon Park Infant and Nursery School and Welldon Park Junior School, or the primary school if the schools are combined, by one form of entry (30 pupils) from 1 September 2015.

Reason: (For recommendation)

To implement the Council's Amalgamation Policy and to enable the Local Authority to fulfil its duties to provide sufficient school places in its area.

Section 2 – Report

Introductory paragraph

1. The Council has an Amalgamation Policy that requires separate infant and junior schools to combine when a headteacher vacancy arises in either or both schools unless there are compelling and over-riding reasons not to. The Local Authority has a statutory responsibility to provide sufficient school places for its area.
2. Like many boroughs, Harrow is experiencing significant growth in the pupil population and has been creating additional school places to meet the increased demand since September 2009.
3. The latest school roll projections predict that the increased demand for Reception places will continue at a high level until at least 2023/24. In July 2014, Cabinet agreed to the publication of statutory proposals to expand permanently a third phase of primary schools.
4. The decision sought will help the Council meet its corporate priorities to make a difference for families, communities and the vulnerable by ensuring sufficient school places in its area.

Options considered

5. The Amalgamation Policy was agreed initially in February 2005. The policy subsequently has been revised and up-dated and was confirmed by Cabinet in July 2013.
6. The Policy requires schools to amalgamate unless there are compelling and overriding reasons not to combine. The resignation of

the headteacher of Welldon Park Junior School has triggered the implementation of the Amalgamation Policy.

7. In July 2014, Cabinet agreed to delegate to the interim Corporate Director of Children and Families, in consultation with the Portfolio Holder for Children, Schools and Young People, the decision about the final list of schools that should be moved to the statutory process for permanent expansion.
8. Consultation about the proposed amalgamation and expansion was held from Monday 29 September to Friday 14 November 2014. On 11 December 2014, following consideration of the consultation outcomes, Cabinet approved the publication of statutory proposals. Information about the consultation outcomes is included in Appendix 2 to this report in the section 'Views submitted during the consultation'.
9. Statutory proposals to amalgamate and expand Welldon Park Infant and Nursery School and Welldon Park Junior School were published on 5 January 2015 for a four week representation period which closed on 2 February 2015.
10. Two representations in relation to the statutory proposals were received by Harrow Council by the closing date of the representation period on 2 February 2015. The representations by a resident and by the Governing Bodies are attached as Appendix 1 and Appendix 3 to this report. Commentary about the issues raised in the representations is given in Appendix 2 together with officer comment.
11. The resident respondent expressed their view that the statutory proposals had not been widely circulated and that without the full details of the building option that a full response on the expansion proposal was not possible. The representation is attached as Appendix 1. The main concerns were listed as follows:
 - The close proximity of any new buildings to gardens.
 - The possibility of being overlooked.
 - The disruption the building works may cause.
 - The increase in traffic and parking across drives in a small cul de sac.
 - Impact on saleability and price of property.
 - Noise impact of larger school population.
12. The Governing Bodies of Welldon Park Infant and Nursery School and Welldon Park Junior School submitted a joint response to the proposal for the amalgamation. A copy is at Appendix 3.
13. In their response the Governing Bodies outlined:
 - That the schools are unique being on separate sites and that this was a reason for not amalgamating in November 2009 and nothing had changed. That they felt that the separation of the sites would not secure the financial advantages of amalgamation.

- Their concerns that the consultation was meaning less and that the outcome was a foregone conclusion.
- That both governing bodies were not opposed to the educational amalgamation as such but had serious concerns about the physical constraints of separate sites; the building requirements, financial implications of the loss of the 'lump sum' and the timescale for the appointment of the headteacher for September 2015 with a decision in February. They suggested that any decision to amalgamate should be subject to it not happening unless and until the recruitment of an executive headteacher.
- The Governing Bodies raised their concerns about the uncertainty of the situation for the schools' future and stated that the decision rests with cabinet and therein the responsibility.

There was no reference to the expansion of the two schools.

14. Cabinet has the following options:
- a. Reject the proposals;
 - b. Approve the proposals without modification;
 - c. Approve the proposals with modification;
 - d. Approve the proposals, with or without modification, subject to certain conditions being met.

Recommendation

15. The Corporate Director of Children and Families recommends that Cabinet approves the statutory proposals as published to:
- combine Welldon Park Infant and Nursery School and Welldon Park Junior School on 1 September 2015;
 - expand permanently Welldon Park Infant and Nursery School and Welldon Park Junior School, or the primary school if the schools are combined, by one form of entry (30 pupils) from 1 September 2015.

The combined school would fill incrementally from the point of admission into the school.

16. The reasons for this recommendation include:
- The Governing Bodies supported the proposed expansion in their response to the consultation reported to Cabinet in December 2014.
 - That the Governing Bodies of both schools are not opposed to the educational rationale for amalgamation and this is aligned with the Council's Amalgamation Policy.
 - The issues raised in terms of the school site are being addressed through the site scoping and feasibility study processes. The expansion options are being developed for both sites and now this would be extended to consider the amalgamation.
 - Schools Forum will be considering a Split Site factor for the schools funding formula.

- Officers from Education Strategy and Harrow School Improvement Partnership are supporting both schools and will continue to do so through the amalgamation process.
 - It is very important that there is a clear timeline for the amalgamation process and expansion so that there is clarity about the future. Extended periods of uncertainty are to be avoided and therefore it is proposed that the amalgamation and expansion are implemented with effect from September 2015.
17. Officers acknowledge the points made by the Governing Bodies concerning the recruitment of a Headteacher of the combined school and their suggestion to align amalgamation to the recruitment of a Headteacher. Acting leadership arrangements are in place at both schools which are being supported by the Council and will continue until the end of this academic year. It is intended that following Cabinet's decision the recruitment process for a Headteacher will commence with the appointment taking effect from September. Should there be any delay in recruitment, the existing leadership arrangements will be reviewed and supported accordingly.
18. In relation to the representation from the resident, full officer comment is given in Appendix 2. There will be engagement with local residents as part of the planning application process. At that time, there will be detailed proposals for the development on both sites, outline timelines for the programme and construction. As part of the planning application, the school will be required to submit a School Travel Plan. An independent Transport Assessment will be undertaken and the outcomes of the Transport Assessment would be submitted as part of the planning application.

Performance Issues

19. Schools in Harrow perform well in comparison to national and statistically similar local authorities. The vast majority of primary schools and secondary schools are judged 'good' or 'outstanding' by OfSTED. As at October 2014, 87% of Harrow's primary and secondary schools are judged 'good' or 'outstanding', compared to 85% in London and 80% nationally (Source: Ofsted Data View).
20. The Schools White Paper and Education Act 2011 maintain a focus on driving up standards in schools, and place more of the responsibility with the schools directly for their improvement. The role of the Local Authority in measuring performance and driving improvement has changed significantly and is reduced from its previous level. However, the Local Authority maintains a strategic oversight and enabling role in local education, and is likely to retain some role in monitoring educational achievement and key measures such as exclusions and absence. The Local Authority is also statutorily responsible for supporting and improving underperforming schools.
21. The Local Authority continues to monitor key education indicators. The indicators are used locally to monitor, improve and support education

at both school and local authority level. They are also used within information provided to the DfE.

Year	Key Stage 2	Reading, Writing & Maths L4+	KS1-KS2 Expected Progress - Reading	KS1-KS2 Expected Progress - Writing	KS1-KS2 Expected Progress - Maths
2012	Harrow	79%	91%	93%	90%
	National	74%	90%	90%	87%
2013	Harrow	79%	90%	92%	92%
	National	75%	88%	92%	88%
2014 (P)	Harrow	82%	93%	92%	93%
	National	78%	91%	93%	93%

Source: DfE Statistical First Release, (P) - Provisional

22. The indicators fall within the following areas:

- Attendance and exclusions - remain a statutory duty for the Local Authority to monitor and improve.
- Underperforming schools – schools are assessed at Key Stage 2 & Key Stage 4 against defined floor standards.
- Closing the Gap - is a fundamental part of Ofsted's school inspection process, and accordingly, the Local Authority monitors the attainment of identified groups of pupils in its schools. The table below includes the gap at key stage 2 between pupils eligible for free school meals and their peers and the gap between Harrow's SEN children and their peers – children with a SEN provision includes School Action, School Action Plus or a Statement.

2013 Key Stage 2 – Closing the Gap	Harrow	National
Achievement gap between pupils eligible for free school meals and their peers, based on pupils achieving level 4 or above in Reading, Writing and mathematics at Key Stage 2.	17%	19%
Achievement gap between pupils with special educational needs and their peers, based on pupils achieving level 4 or above in Reading, Writing and mathematics at Key Stage 2.	49%	53%

23. There is a complex interrelationship between a number of other performance issues such as traffic congestion, road safety, traffic and parking enforcement and travel plan performance, as referred to earlier in the report, and all these considerations are taken into account in assessing school expansion proposals.

Environmental Impact

24. The Council's over-arching climate change strategy sets a target to reduce carbon emissions by 4% a year. Schools account for 50% of the council's total carbon emissions. Reducing emissions from schools is therefore a vital component in meeting the Council's target. However there is a significant risk that the expansion programme will increase emissions rather than reduce them. Phase 2 of the School

Expansion Programme will have an impact on carbon emissions that will need to be carefully considered in this context.

25. The RE:FIT Schools Programme will be available to retrofit existing school buildings to improve their energy efficiency. For new-build schools, the design standards will need to ensure that they meet high energy use efficiency standards. Of particular importance will be the use of low carbon technologies – particularly for space heating – and these will need to be thoroughly investigated during the design phase.
26. For many of the projects in the school expansion, programme, planning applications will be required and part of the application will be a school travel plan. Through this process and the development of the solutions for the schools, the impact of the additional pupils and their travel modes will be addressed.

Risk Management Implications

27. The directorate and corporate risk management implications for the Council arising from school place planning are included on the directorate and corporate risk registers and are reported regularly to Cabinet in quarterly update reports on the School Expansion Programme.

Legal Implications

28. The Local Authority has a statutory entitlement under Sections 15 and 19 of the Education and Inspections Act 2006, to issue statutory proposals in respect of school reorganisation.
29. The Council has a statutory duty under the Education Act 1996 to ensure the provision of sufficient schools for the provision of primary and secondary education in its area.
30. For maintained schools, there are prescribed requirements in order to make specific alterations. This includes expanding existing schools to add additional form groups. The requirements are set out in the Education and Inspections Act 2006 and associated regulations.
31. New school organisation regulations and associated guidance came into force on 28 January 2014 and the process has been amended to streamline the process. The new statutory requirements and national guidance have been followed when publishing the statutory proposals for the expansion of Welldon Park Infant and Nursery School and Welldon Park Junior School.
32. The statutory guidance on expansion of schools confirms factors which should be taken into account by local authorities when determining proposals. Appendix 2 to this report sets out considerations about the proposal in relation to the Department for Education School Organisation Guidance for proposers and decision-makers.
33. The Council must ensure it meets its public law duties when making

decisions, including meeting its public sector equality duty. It must consider all relevant information, disregard irrelevant information, act in accordance with the statutory requirements and make its decision in a fair and transparent manner.

Financial Implications

34. Any school expansion programme will inevitably have significant financial implications. All schools proposed for expansion have raised concerns about available funding and clarity about funding is essential to maintain their commitment to the School Expansion Programme. School revenue budgets are funded from the Dedicated Schools Grant (DSG). As the Department for Education (DfE) allocates DSG based on pupil numbers, any increase in pupil numbers results in additional revenue funding for the expanding school. The revenue funding is allocated to schools based on the Harrow Schools' Funding Formula. School budgets are based on pupil numbers in the October prior to the start of the financial year, so there is always a funding lag when schools increase their pupil numbers. To ensure that schools who agree to an additional class are not financially penalised, the Harrow School Funding Formula provides 'Additional Class Funding' for the period from September to the end of March, following which the mainstream funding formula will take effect. This ensures that schools have adequate funding for at least the average costs of a teacher and some set up costs.
35. Under the current school funding arrangements, as a combined school there will be loss of one 'lump sum' which each school receives annually as part of its budget. This reduction is implemented over time. In the year following the proposed amalgamation (2016/17) the combined school would receive the equivalent of 85% of two lump sums. This would allow time for the Governing Body to plan for this change which represents a comparatively small amount of the combined school budget (about 5%). Funding efficiencies arising from combining the schools can be used to offset this reduction. The Governing Body and leadership team of a combined school should be able to plan strategically in a cost effective manner in the best interests of the children in order to achieve positive outcomes for the children in the long term. The Schools Forum will consider the introduction of a split site factor as part of the Schools Funding Formula from April 2017 when it may be required after the lump sum reduction has been implemented.

Capital

36. The budget for the school expansion programme, including primary school expansions in Phase 1 and Phase 2 and three expansions at Phase 3, secondary school expansions and provision for pupils with special educational needs (SEN) is £91.788m. Also included in this programme are budget allocations for capital works associated with amalgamations and bulge classes.
37. At its meeting on 16 October 2014, Cabinet delegated authority to use

suitable national or local public sector Framework(s) to:

- a) undertake feasibility studies, surveys and provide professional costs and technical services, and;
- b) design and build / refurbish school facilities.

Following site scoping work to develop initial options, detailed feasibility work has begun to develop design proposals and develop costings.

This work is being progressed before final decisions are made by Cabinet to ensure that the necessary building work could be completed by September 2016 and any necessary interim accommodation requirements could be made for the intake of additional children in September 2015.

38. Based on current estimates and market conditions it is expected that it is possible to deliver this programme with Education Funding Agency capital grants, without the need for council capital funding. If the programme is not deliverable within the current programme then borrowing may be required. This risk is being monitored closely in consultation with Cabinet Members.

Equalities implications / Public Sector Equality Duty

39. Section 149 of the Equality Act 2010 requires that public bodies, in exercising their functions, have due regard to the need to (1) eliminate discrimination, harassment, victimisation and other unlawful conduct under the Act, (2) advance equality of opportunity and (3) foster good relations between persons who share a protected characteristic and persons who do not share it.
40. Equalities Impact Assessments have been undertaken on the proposals to amalgamate and to permanently expand Welldon Park Infant and Nursery School and Welldon Park Junior School. The Equalities Impact Assessments are included in Background Papers. The conclusions of these assessments are that the implications are either positive or neutral in that the amalgamation and expansion of the schools will help to ensure all children in Harrow have access to a high quality school place. The assessments have not identified any potential for unlawful conduct or disproportionate impact and conclude that all opportunities to advance equality are being addressed.
41. Harrow's schools are successful, inclusive and provide a diversity of provision. The school expansion programme will ensure sufficient school places for the increasing numbers of children in Harrow and will build on the successful provision that already exists in Harrow's schools. By acting to ensure all children in Harrow have access to a high quality school place, Harrow is promoting equality of opportunity for all children and young people.

Council Priorities

42. The Council's vision is: **Working Together to Make a Difference for Harrow.**
43. The Council Priorities are as follows:

- Making a difference for the vulnerable
- Making a difference for communities
- Making a difference for local businesses
- Making a difference for families

44. The recommendation supports these priorities by:
- Ensuring Harrow Council fulfils its statutory duties to provide sufficient school places in its area.
 - Providing high quality local mainstream and special educational need provision in schools for children close to where they live.
 - Providing opportunities to enhance educational standards and to further promote positive community outcomes by ensuring the most effective use of school facilities and coordinated extended services support to families and children.

Section 3 - Statutory Officer Clearance

Name: Jo Frost	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: 21 January 2015		
Name: Sarah Wilson	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: 21 January 2015		

Ward Councillors notified:	YES
EqIA carried out:	YES
EqIA cleared by:	Corporate Equalities Impact Assessment Quality Assurance Group

Section 4 - Contact Details and Background Papers

Contact: Johanna Morgan, Education Lead School Organisation,
020 8736 6841 johanna.morgan@harrow.gov.uk

Background Papers: Equalities Impact Assessments on the proposed amalgamation and expansion of Welldon Park Infant and Nursery School and Welldon Park Junior School

**Call-In Waived by the
Chairman of Overview
and Scrutiny
Committee**

NOT APPLICABLE

[Call-in applies]